



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Toshio OTA et al.

Title: PRIMERS FOR SYNTHESIZING FULL-LENGTH cDNA AND THEIR USE

Appl. No.: 09/629,469

Filing Date: 07/28/2000

Examiner: Carolyn L. Smith

Art Unit: 1631

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(d), before payment of the issue fee.

04/16/2004 KBETEMAI 00000053 09629469

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The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

**RELEVANCE OF EACH DOCUMENT**

The documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding European application. A copy of the European Search Report is attached setting forth the portion of each document considered relevant by the examiner.

Copies of documents B1, B3, B6-B7 and B11 are not being submitted as they were submitted in an Information Disclosure Statement that was filed on January 15, 2004.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

**STATEMENT**

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

**FEE**

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date April 15, 2004

By Stephen B. Maebius

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Substitute for form 1449B/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Date Submitted: April 15, 2004

(Use as many sheets as necessary)

1 of 2

## Complete if Known

Application Number	09/629,469
Filing Date	07/28/2000
First Named Inventor	Toshio OTA
Group Art Unit	1631
Examiner Name	Carolyn L. Smith
Attorney Docket Number	084335-0123

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	B1		WO 00/58513		Human Genome Sciences Inc.	10/05/2000		
	B2		WO 02/31111		Hyseq Inc.	04/18/2002		

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	B3	SHANNON E. BRIGHTMAN et al., "Isolation of a mouse cDNA encoding MTJ1, a new murine member of the DnaJ family of proteins", Gene, February 14, 1995, pages 249-254, vol. 153, no. 2., XP004042536.	
	B4	DATABASE EMBL 'Online', November 23, 1998, Strausberg: "q171b04.x1 Soares_NhHMPu_S1 Homo Sapiens cDNA clone Image: 1877743 3 Similar to SW:MTJ1_Mouse Q61712 DNAJ Protein Homolog MTJ1; mRNA retrieved from EBI Database accession no. AI276458; XP002270645.	
	B5	DATABASE EMBL 'Online', December 31, 1998, Strausberg: "tb98c06.x1 NCI_CGAP_Co16 Homo Sapiens cDNA Clone Image: 2062378 3 Similar to SW:MTJ1_MOUSE Q61712 DNAJ Protein Homolog MTJ1; mRNA Sequence, retrieved from EBI Database accession no. AI337322; XPI002270646.	
	B6	PIERO CARNINCI et al., "High-Efficiency Full-Length cDNA Cloning by Biotinylated CAP Trapper", Genomics, November 1, 1996, pages 327-336, vol. 37, no. 3, XP002081729.	
	B7	SEISHI KATO et al., "Construction of a human full-length cDNA bank", Gene, 1994, pages 243-250, vol. 150, XP002081364.	

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: April 15, 2004 (use as many sheets as necessary)		<b>Complete if Known</b>	
Application Number		09/629,469	
Filing Date		07/28/2000	
First Named Inventor		Toshio OTA	
Group Art Unit		1631	
Examiner Name		Carolyn L. Smith	
Attorney Docket Number		084335-0123	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	B8	DATABASE EMBL 'Online' March 16, 1999, Strausberg: "tk01b12.x1 NCI_CGAP_Lu24 Homo Sapiens cDNA Clone Image:2149727 3', mRNA," retrieved from EBI Database accession no. AI457194, XP002270647.	
	B9	DATABASE EMBL 'Online' August 23, 1999, Strausberg: "wx91e11.x1 NCI_CGAP_Lu27 Homo Sapiens cDNA Clone Image:2551052 3', mRNA" retrieved from EBI Database accession no. AI954939, XP002270648.	
	B10	DATABASE EMBL 'Online' February 22, 2000, ISOGAI, T.: 'Homo Sapiens cDNA FLJ10199 Fis, Clone HEMBA1004850," retrieved from EBI, Database accession no. AK001061, XP002270649.	
	B11	T. ISOGAI et al., "DnaJ homolog subfamily C member 1", Database Swall, February 28, 2003, Database accession no. Q96KC8, XP002260362	

Examiner Signature		Date Considered	
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